

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

JAN 3 2019

David J. Bradley, Clerk

UNITED STATES OF AMERICA §
§
v. § Criminal No. M-17-0588-S8
§
MARIN MACRIN CERDA §
also known as "Filtro" §
JOSE MIGUEL MONTEMAYOR §
also known as "El Mickey" §
CESAR ALEJANDRO TOVAR-GUILLEN §
also known as "Nucho" §
also known as "El Sobrino" §
OSCAR DE LA CRUZ §
JUAN FERNANDO MATA §
SERGIO ALEJANDRO GALLEGOS §
also known as "Tovy" §

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

Count One

February 5, 2018

From on or about January 14, 2016 to on or about ~~June 7, 2017~~, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

MARIN MACRIN CERDA
also known as "Filtro"
JOSE MIGUEL MONTEMAYOR
also known as "El Mickey"
CESAR ALEJANDRO TOVAR-GUILLEN
also known as "Nucho"
also known as "El Sobrino"
OSCAR DE LA CRUZ
and
JUAN FERNANDO MATA

did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A).

Count Two

On or about July 7, 2016, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

MARIN MACRIN CERDA
also known as "Filtro"

took and attempted to take a motor vehicle, namely, a 2007 Kenworth tractor trailer bearing VIN 1XKADBBXX7J093155, that had been transported, shipped, and received in interstate and foreign commerce from and in the presence of Ricardo Garcia by force, violence, and intimidation, with the intent to cause death and serious bodily harm.

In violation of Title 18, United States Code, Sections 2119 and 2.

Count Three

On or about June 6, 2017 through June 7, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

MARIN MACRIN CERDA
also known as "Filtro"
and
JOSE MIGUEL MONTEMAYOR
also known as "El Mickey"

did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery and attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, as the terms robbery and commerce are defined in Title 18, United States Code, Section 1951(b), in that the defendants did unlawfully take and attempted to take controlled substances and drug proceeds from individuals against their will by means of actual or threatened force, violence, or fear of immediate or future injury.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

Count Four

On or about November 28, 2016, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

MARIN MACRIN CERDA
also known as "Filtro"
and
JOSE MIGUEL MONTEMAYOR
also known as "El Mickey"

aiding and abetting each other, did knowingly carry, brandish, and discharge a firearm, during and in relation to a drug trafficking offense and crime of violence for which they may be prosecuted in a court of the United States, namely, Conspiracy to Possess with Intent to Distribute a Controlled Substance in violation of Title 21 United States Code Sections 841 and 846 and Conspiracy to Interfere with Commerce by Robbery in violation of Title 18 United States Code Section 1951(a).

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 2.

Count Five

On or about March 12, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

MARIN MACRIN CERDA
also known as "Filtro"
and
JOSE MIGUEL MONTEMAYOR
also known as "El Mickey"

took and attempted to take a motor vehicle, namely, a 2008 Ford Taurus bearing VIN 1FAHP24W78G158756, that had been transported, shipped, and received in interstate and foreign commerce from and in the presence of Paulina Vargas by force, violence, and intimidation, with the intent to cause death and serious bodily harm.

In violation of Title 18, United States Code, Sections 2119 and 2.

Count Six

On or about April 7, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

MARIN MACRIN CERDA
also known as "Filtro"
and
JOSE MIGUEL MONTEMAYOR
also known as "El Mickey"

aiding and abetting each other, did knowingly carry, brandish, and discharge a firearm, during and in relation to a drug trafficking offense and crime of violence for which they may be prosecuted in a court of the United States, namely, Conspiracy to Possess with Intent to Distribute a Controlled Substance in violation of Title 21 United States Code Sections 841 and 846, Conspiracy to Interfere with Commerce by Robbery in violation of Title 18 United States Code Section 1951(a), and Carjacking in violation of Title 18 United States Code Section 2119.

In violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 2.

Count Seven

On or about March 7, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

OSCAR DE LA CRUZ

did knowingly forge the signature of Dorina Ramos, a judge of the United States District Court for the Southern District of Texas, for the purpose of authenticating a document before said Court, to wit, an Anticipatory Search and Seizure Warrant.

In violation of Title 18, United States Code, Sections 505 and 2.

Count Eight

On or about May 10, 2017 through on or about June 6, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

JUAN FERNANDO MATA

did knowingly and intentionally conspire and agree with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B).

Count Nine

On or about April 24, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

SERGIO ALEJANDRO GALLEGOS
also known as "Tovy"

did knowingly and intentionally conspire and agree with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B).

A TRUE BILL

FOREPERSON 0 0

RYAN K. PATRICK
UNITED STATES ATTORNEY



ASSISTANT UNITED STATES ATTORNEY